

Appl. No. 09/954,874

RESPONSE UNDER 37 C.F.R. § 1.116 -- EXPEDITED PROCEDURE

Response dated August 23, 2004

Reply to Office Action of June 23, 2004

Remarks/Arguments

Claims 1-47 are presented for Examiner Salvatore's consideration. Claims 17-45 are currently under examination and claims 1-16 and 46-47 are previously withdrawn. Claim 17 is currently amended, as shown in the attached listing of the claims. Support for this amendment may be found in the specification at page 9 line 25 through page 10 line 8, and in claims 29 and 45 as originally filed, for example. Please cancel claims 29 and 45. Claim 30 has been amended to change its dependency, due to the cancellation of claim 29 from which it previously depended.

Pursuant to 37 C.F.R. § 1.116, reconsideration of the present application in view of the foregoing amendments and the following remarks is respectfully requested.

By way of Paragraph 3 of the Office Action mailed June 23, 2004, Examiner Salvatore rejected claims 17-20 under 35 U.S.C. § 102(e) as being anticipated by McDevitt et al. US 2003/0050589. This rejection is believed to now be moot due to the amendment of claim 17 including subject matter from original claim 29, because claim 29 was not made a part of the rejection under 35 U.S.C. § 102(e).

By way of Paragraph 5 of the Office Action mailed June 23, 2004, the Examiner rejected claims 17-45 under 35 U.S.C. § 103(a) as allegedly being obvious to one of ordinary skill in the art at the time the invention was made and thus unpatentable over U.S. Patent Number 6,186,320 to Drew (hereinafter "Drew") in view of U.S. Patent Number 5,709,735 to Midkiff et al. (hereinafter "Midkiff et al."). This rejection is respectfully traversed to the extent that it may apply to the currently presented claims.

As the Examiner has noted, Drew teaches a double sided storage sleeve comprising a flexible first sheet, a flexible third sheet, and a flexible nonwoven, non-laminated second sheet positioned between the first and third flexible sheets. In addition, as the Examiner has noted, Midkiff et al. teaches a high stiffness nonwoven filter medium. The Examiner has combined Drew and Midkiff et al. and the Applicants reiterate their assertion that that one skilled in the art would not be motivated to make such a combination. The Examiner has stated that one skilled in the art would be motivated to do so by the desire to provide a storage sleeve having sufficient structural integrity.

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However, the Examiner has not shown why she believes the structural integrity of the Drew storage sleeve to be insufficient, or where, in the teachings of the references, one skilled in the art would find such insufficiency of structural integrity. Applicants again submit that one skilled in the art would be led away from, not toward, replacing the flexible nonwoven of Drew with a high stiffness nonwoven.

In addition, Applicants respectfully submit that even when combined together, these references fail to teach or disclose Applicants' invention as presently claimed in amended claim 17.

The invention as presently claimed in amended claim 17 is directed to a storage sleeve for holding an article having a sensitive surface to protect the sensitive surface from damage. The storage sleeve comprises a first web having a top edge, a bottom edge and two side edges and, a second web comprising a nonwoven web comprising multicomponent thermoplastic polymer filaments bonded in a pattern having continuous bonded areas defining a plurality of discrete unbonded areas, the nonwoven web having a bulk density in the range of about 0.075 g/cc to about 0.130 g/cc and a Gurley stiffness greater than about 80 mg and having a top edge, a bottom edge and two side edges, and wherein the first web is interconnected with the second web at or near the bottom edge and two side edges of the first web to form a pocket to hold said article having a sensitive surface.

Applicants submit that even if one skilled in the art were to replace the flexible second sheet of Drew with the high stiffness nonwoven of Midkiff et al., such a combination still fails to teach or suggest each and every element of the Applicants' claims, by failing at least to teach the element of the nonwoven web having a bulk density in the range of about 0.075 g/cc to about 0.130 g/cc, and failing at least to teach the element of bonding in a pattern having continuous bonded areas defining a plurality of discrete unbonded areas.

For these reasons, Applicants submit that the rejection claims 17-45 under 35 U.S.C. §103(a) over Drew in view of Midkiff et al. should be withdrawn, and it is respectfully submitted that all of the presently presented claims are in form for allowance.

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Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: 770-587-8908.

Respectfully submitted,

SINGER ET AL.

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CERTIFICATE OF FACSIMILE TRANSMISSION

I, Robert Ambrose, hereby certify that on August 23, 2004, this document is being faxed to the United States Patent and Trademark Office, central facsimile machine at (703) 872-9306.

By: 

Robert Ambrose